

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed January 24, 2005. Claims 1-29 were pending in this Application. Claim 3 has been cancelled, without prejudice or disclaimer, Claims 18-29 have been withdrawn, also without prejudice or disclaimer, and new Claims 30-37 have been added. Thus, Claims 1, 2, 4-17 and 30-37 are currently pending.

Applicant elects, without traverse, to proceed with Group I, Species A of Invention I, as defined by the Examiner, which include Claims 1-17 drawn to a method for making a rock laminate. As a result, Applicant withdraws, without prejudice or disclaimer, Claims 18-29. With this election Applicant reserves the right to pursue Claims 18-29 in subsequent applications, or in this Application if applicable. Applicant has added new Claims 30-37, which are claims also drawn to the elected species.

Based on the Examiner's suggestion and indication that Claim 3, which previously depended directly from independent Claim 1, was allowable if rewritten in independent form, amended Claim 1 to include the one limitation of Claim 3. Applicant notes the amended Claim 1 is of identical scope as Claim 3 as originally filed in this application, and, thus, the amendment to Claim 1, is, in effect, a rewrite of the original Claim 3 in independent form, and the amendment was not to narrow the scope of a claim as originally presented. Further, Claims 4, 5, 6 and 7 were amended to depend from amended Claim 1, and Claim 9 was amended for reasons of style, and not to narrow the scope of

Claim 9 and not for reasons of patentability. Claims 2, 4-17 now depend from Claim 1, and thus all are in condition for allowance. Applicant notes that new Claim 30, which is an independent claim, provides allowable subject matter similar to the allowable subject matter, and hence, dependent Claims 31-37, which depend from Claim 30, also provide allowable subject matter.

Applicant notes that none of the cited or submitted references, either alone or in combination, teach, suggest or describe, the invention as claimed. Applicant's believe that all objections and rejections have been overcome. Applicant's respectfully request full allowance of Claims 1, 2, 4-17, and 30-37.

**INFORMATION DISCLOSURE STATEMENTS**

Applicant filed numerous Information Disclosure Statements (i.e., December 10, 2003; March 10, 2004; July 10, 2004; October 6, 2004; October 7, 2004; and November 1, 2004). In the Office Action mailed January 24, 2005, the Examiner initialed the references cited in the Information Disclosure Statements dated March 10, 2004, July 10, 2004, and November 1, 2004. However, the Examiner has not initialed the following Information Disclosure Statements:

December 10, 2003

October 6, 2004

October 7, 2004

Applicant respectfully requests that the Examiner initial the Forms PTO-1449 for each of these Information Disclosure Statements and return to the undersigned a copy of the initialed

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and completed Forms PTO-1449, indicating that the enclosed referenced art has been considered in its entirety.

Applicant also filed an Information Disclosure Statements on June 29, 2005, and is filing another Information Disclosure Statement with this Amendment and Response. Applicant respectfully requests that all associated Forms PTO-1449 be initialed and returned to Applicant in connection with these filings.

Applicant respectfully submits that this Application is in condition for allowance.

CONCLUSION

Applicant respectfully submits that the Application is in condition for allowance, and Applicant earnestly seeks such allowance of Claims 1, 2, 4-17 and 30-37. Should the Examiner have any questions or suggestions in furtherance of the prosecution of this Application, please contact Applicant's attorney at 214.999.4266. Applicant, through its attorney, stands ready to conduct a telephone interview with the Examiner to review this Application if the Examiner believes that such an interview would assist in the advancement of this Application.

To the extent that any further fees are required during the pendency of this Application, including petition fees, the Commissioner is hereby authorized to charge payment of any additional fees, including, without limitation, any fees under 37 C.F.R. § 1.16 or 37 C.F.R. § 1.17, to Deposit Account No. 07-0153 of Gardere Wynne Sewell LLP and reference Attorney Docket No. 130042.001000. In the event that any additional time is needed for this filing, or any additional time in excess of that requested in a petition for an extension of time, please consider this a petition for an extension of time for any needed extension of time pursuant to 37 C.F.R. § 1.136 or any other section or provision of Title 37. Applicant respectfully requests that the Commissioner grant any such petition and authorize the Commissioner to charge the Deposit Account referenced above. Please credit any overpayments to this same Deposit Account.

This is intended to be a complete response to the Office Action mailed January 24, 2005.

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Please direct all correspondence to the practitioner listed  
below at Customer No. 32914.

Respectfully submitted,

  
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July 23, 2005